8267144/2023/VIGILANCE-I-ICD01

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Water Resources Department - Random Verification of works taken up under Neeru Chettu Programme by V&E in the erstwhile Vizianagaram District - Allegations in "Construction of Check dam across Chinnagedda Pathruvada(V) in Gajapathinagaram(M) of Vijayanagaram District Erstwhile" (Work No.5)- **Sri. D.N.S.S. Kumar**, the then Deputy Executive Engineer, Q.C. Subdivision, Rajam– Departmental Proceedings under Rule 20 of the A.P. Civil Services (CC&A) Rules, 1991 – Article of Charges – Issued.

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WATER RESOURCES (VIG.I/A1) DEPARTMENT

G.O. Rt. No.630 **Dated: 22.11.2023.**

Read the following:

1. From Director General (Vig. & Enft) & EO Prl.Secy., to Govt., General Administration (V&E) Department, Vijayawada, Vigilance Report No.04 (C.No.4916/V&E/Engg/2019-4, VZM), Dated:24.01.2023.
2. G.O.Rt.No.610, Water Resources (VIG.I/A1) Department, Dated: 22.11.2023.

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ORDER:

It is proposed to hold an inquiry against **Sri. D.N.S.S. Kumar**, the then Deputy Executive Engineer, Q.C. Subdivision, Rajam in accordance with the procedure laid down under Rule 20 of the A.P Civil Services (CC&A) Rules, 1991 for the alleged charges specified herein.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charges (Annexure-I). A statement of imputations of misconduct or misbehaviour in support of articles of charges is enclosed (Annexure-II). A list of documents by which, and a list of witnesses by whom, the articles of charges are proposed to be sustained are also enclosed (Annexure-III & IV).

3. **Sri. D.N.S.S. Kumar**, the then Deputy Executive Engineer, Q.C. Subdivision, Rajam is directed to submit his written statement of defence within (10) days from the receipt of this order and also state whether he desires to be heard in person.

4. **Sri. D.N.S.S. Kumar**, the then Deputy Executive Engineer, Q.C. Subdivision, Rajam is informed that an inquiry will be held only in respect of those article of charge which are not specifically admitted herein. He should, therefore, specifically admit or deny each article of charge. He is further informed that adequate opportunity for perusal of records will be made available during the course of inquiry.

5. **Sri. D.N.S.S. Kumar,** the then Deputy Executive Engineer, Q.C. Subdivision, Rajam is further informed that if he does not submit his written statement of defence on or before the stipulated time, or does not appear in person before the disciplinary authority or otherwise fails or refuses to comply with the provisions of rule 20 of the APCS (CC&A) Rules 1991, or the orders/directions issued in pursuance of said Rules, the inquiring authority may hold inquiry against him ex-parte.

6. Attention of **Sri. D.N.S.S. Kumar**, the then Deputy Executive Engineer, Q.C. Subdivision, Rajam is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Govt. If any representation is received on his behalf from another person in respect of any

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matter dealt with these proceedings it will be presumed that Sri. D.N.S.S. Kumar, the then Deputy Executive Engineer, Q.C. Subdivision, Rajam is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of this order should be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

SHASHI BHUSHAN KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri. D.N.S.S. Kumar, the then Deputy Executive Engineer, Q.C. Subdivision, Rajam (through the Engineer-in-Chief (AW), Water Resource Department, Vijayawada).

Copy to:
The Engineer-in-Chief (AW), Water Resources Department, Vijayawada with a request to submit the dated acknowledgement of the individual to the Government without any delay.
SF/SC.

// FORWARDED:: BY ORDER //

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ANNEXURE-I

Article of Charges framed against Sri. D.N.S.S. Kumar, the then Deputy Executive Engineer, Q.C., Subdivision, Rajam: -

Sri D.N.S.S. Kumar, the then Deputy Executive Engineer has committed dereliction of duties amounting to misconduct in violation of Rules 3(1), 3(2) & 3(5) of AP Civil Services Conduct Rules, 1964 for lack of devotion to duty, lack of integrity and for behaving in a manner unbecoming of a government employee and for non-taking all possible steps to ensure the integrity and devotion to duty of all Government servants for the time being under his control and authority

Article of Charge –I: - That the said **Sri D.N.S.S. Kumar** while functioning as Deputy Executive Engineer in the aforesaid office has issued QC Certificates despite inferior quality of cement concrete work without recommending any recovery thereby causing loss to the Government Exchequer in the work "Construction of Check dam across Chinnagedda Pathruvada(V) in Gajapathinagaram(M) of Vijayanagaram District Erstwhile". Thus, he has committed dereliction of duties amounting to misconduct.

SHASHI BHUSHAN KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

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Annexure - II

Statement of Imputation in support of charges framed against Sri D.N.S.S. Kumar, the then Deputy Executive Engineer, QC Sub-Division, Rajam:-

1. The V&E Department officials verified the work "Construction of check dam across Chinnagedda Pathruvada (V) in Gajapathinagaram (M) of Vizianagaram District (erstwhile)" along with the field officers who were associated with the execution of work.

The details of observations of the work by the V&E were as follows:

Name of Work	Construction of check dam across Chinnagedda Pathruvada (V) in Gajapathinagaram (M) of Vizianagaram District (erstwhile).
Village/ Mandal	Pathruvada (V), Gajapathinagaram (M).
Administrative sanction	Proceedings of the District Collector, Vizianagaram vide Proc. No. 262M dated: 21.03.2018 for Rs. 9.98 lakhs. (Copy of administrative sanction is enclosed as Annexure –A30)
Grant	Neeru-Chettu
Technical Sanction	D.R. No. 184/2018-19, Dt: 17.05.2018 of the Executive Engineer, Irrigation Division, Vizianagaram for Rs. 9.98 Lakhs (Copy of technical sanction is enclosed as Annexure-A31)
Name of contractor	Sri G. Appalanaidu, Member, JBMV Committee, Pathruvada.
Agreement No & Value	Agreement No. 173/2018-19 Dt: 17.05.2018 of the Executive Engineer, Irrigation Division, Vizianagaram for Rs. 8,70,877/- (copy of agreement is enclosed as Annexure-A32)
Executed department	Water Resources Department
Scope of work	Construction of Check dam
Status of work	Completed
Value of work done with reference to M.Book	Rs. 7,61,018/- vide page No. 21 of M.Book No. 2809B
Status of payment	LS 1st and part bill was preferred for Rs. 7,11,637/- vide page No. 21 of M.Book No. 2809B (copy is enclosed as Annexure-A33). payment was yet to be made to the agency.
Departmental quality control certificate and recovery details if any	Departmental quality control team inspected the work and issued QC certificate No. 36217 dated: 15.11.2018 without any adverse remarks. (copy of Q.C certificate is enclosed as Annexure-A34)
V&E observation:	
Date of inspection	12.12.2022 & 16.12.2022.
Details of recording	Measurements were recorded in M.Book No. 2809B.
	Measurements were check measured by DEE and EE
% of work done (Financial)	87.50%
Verification of physical measurement	The physical measurements were verified and found to have tallied with the measurements recorded in M.Book. (copy of field observation sheet is enclosed as Annexure-A35)
Name of the quality testing agency	M/s Amrutha engineering laboratories private Ltd., NABL accredited laboratory, Visakhapatnam.
Quality test conducted	Cement concrete cores were extracted from the top of body wall and they were tested for compressive strength.
Test results of	As per clause 17.4.3 of IS 456:2000 (copy of extract of IS code is enclosed as Annexure-A7), concrete in the member represented by a core test shall be considered acceptable if the average equivalent cube strength of the cores is equal to at least

<table>
<tr><td>CC core of M15 grade</td><td colspan="5">85 percent of the cube strength of the grade of concrete specified for the corresponding age and no individual core has a strength less than 75 percent.
Hence, for the permissible compressive strength required for M15 grade of concrete, the equivalent individual core strength shall be 11.25 N/mm^2 and the required average compressive strength is 12.75 N/mm^2.</td></tr>
<tr><td></td><td colspan="5"><table>
<tr><th>Core ID</th><th>Core location</th><th>Required strength in N/mm^2</th><th>Attained strength in N/mm^2</th><th>Remarks</th></tr>
<tr><td>19</td><td>R/s D/s wing wall @ 3.1 m from R/s return wall</td><td>11.25 (75%)</td><td>8.40</td><td>Failed</td></tr>
<tr><td>20</td><td>R/s U/s wing wall @ 1.17m from R/s Return Wall</td><td>11.25 (75%)</td><td>8.50</td><td>Failed</td></tr>
<tr><td>21</td><td>R/s Abutment @ 2.24 m from R/s return</td><td>11.25 (75%)</td><td>3.80</td><td>Failed</td></tr>
<tr><td colspan="2">Avg. Equivalent cube compressive strength (N/mm^2)</td><td>12.75 (85%)</td><td>6.90</td><td>Failed</td></tr>
</table></td></tr>
<tr><td></td><td colspan="5">As verified from the above test results (copy of test results is enclosed as Annexure-A36), the average equivalent cube compressive strength was found to have not satisfied the strength requirements of the specified grade of M15 concrete as per IS 456:2000 and also not satisfying the strength requirements of the next lower grade of M10 concrete. Hence, Super structure of the check dam was found to be laible for rejection. Value of rejection = Rs. 2,60,667/-. (copy of recovery statement is enclosed as Annexure-A9)</td></tr>
<tr><td>Recoveries due to shortfall in other aspects</td><td colspan="5">Nil</td></tr>
<tr><td>Total recovery amount proposed</td><td colspan="5">Value of rejection: Rs. 2,60,667/-.</td></tr>
</table>

V&E Findings:

The body wall was found to be liable for rejection and it should be either re-laid at the cost and risk of the agency or an amount of Rs. 2,60,667/- is proposed to be recovered from the agency towards rejected component of the work.

2. **Sri D.N.S.S. Kumar** while functioning as Deputy Executive Engineer, QC Sub-Division, Rajam has issued QC Certificates despite inferior quality of cement concrete work without recommending any recovery thereby causing loss to the Government Exchequer in the work "Construction of Check dam across Chinnagedda Pathruvada(V) in Gajapathinagaram(M) of Vijayanagaram District Erstwhile".
3. Thus, the said officer has failed to perform his duties with diligence in time which amounts to dereliction of duties leading to misconduct in violation of Rules 3(1), 3(2) & 3(5) of AP Civil Services Conduct Rules, 1964.

SHASHI BHUSHAN KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

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ANNEXURE – III

List of Documents by which the Article of charges framed against Sri D.N.S.S. Kumar, the then Deputy Executive Engineer, QC Sub-Division, Rajam are proposed to be sustained:-

List of Documents:

(1) Vigilance Report No. 04(C.No.4916/ V&E/Engg/2019-4)/VZM Dt:24.01.2023 along with enclosures.

SHASHI BHUSHAN KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

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ANNEXURE – IV

List of Witnesses by whom the Article of charges framed against Sri D.N.S.S. Kumar, the then Deputy Executive Engineer, QC Sub-Division, Rajam are proposed to be sustained:-

List of Witnesses:

(1) Vigilance & Enforcement officials who verified the work.

SHASHI BHUSHAN KUMAR
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED:: BY ORDER//

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